

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

FILED

JAN 26 2009

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

STATE OF OKLAHOMA, ex rel., W. A. DREW )  
EDMONDSON, in his capacity as ATTORNEY )  
GENERAL OF THE STATE OF OKLAHOMA and )  
OKLAHOMA SECRETARY OF THE )  
ENVIRONMENT C. MILES TOLBERT, in his )  
capacity as the TRUSTEE FOR NATURAL )  
RESOURCES FOR THE STATE OF )  
OKLAHOMA, )

Plaintiff, )

v. )

Case No. 4:05-cv-00329-GKF-PJC

TYSON FOODS, INC.; TYSON POULTRY, INC.; )  
TYSON CHICKEN, INC.; COBB-VANTRESS, )  
INC.; AVIAGEN, INC.; CAL-MAINE FOODS, )  
INC.; CARGILL TURKEY PRODUCTION, LLC; )  
GEORGE'S, INC.; GEORGE'S FARMS, INC.; )  
PETESON FARMS, INC.; SIMMONS FOODS, )  
INC; and WILLOW BROOK FOODS, INC., )

Defendants. )

**MOTION FOR ADMISSION PRO HAC VICE**

R. Thomas Lay ("Movant"), local counsel of record for Defendant Willow Brook Foods, Inc., moves the Court, pursuant to Local Civil Rules 83.2(g) and 83.3(a), (b), to admit Frank M. Evans, III to the Bar of this Court *Pro Hac Vice*, in support of which I represent and certify that the following statements are complete, true and correct:

1. The undersigned R. Thomas Lay ( Raymond Thomas Lay) is a member of the Bar of this Court and is counsel of record for Defendant Willow Brook Foods, Inc.

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<input type="checkbox"/> C/Ret'd	<input type="checkbox"/> No Env	<input type="checkbox"/> No Cyps	<input type="checkbox"/> No Env/Cyps	<input type="checkbox"/> OJ	<input type="checkbox"/> CMJ

No fees  
P

2. Pursuant to LCvR 83.2(g), attached to this Motion as Exhibits is the completed Request for Admission *Pro Hac Vice* of Frank M. Evans, III..

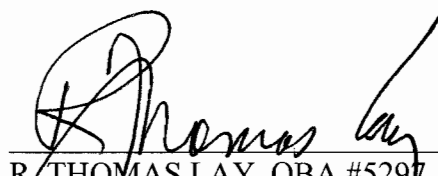
3. Frank M. Evans, III. is a member in good standing of the bar of Missouri, and is admitted to practice in the state and federal courts reflected in Exhibit "1" attached hereto.

4. The undersigned R. Thomas Lay respectfully requests the admission of Frank M. Evans, III. to practice before this Court solely for the purpose of appearing as counsel on behalf of the Defendant, Willow Brook Foods, Inc.

WHEREFORE, the undersigned respectfully requests that Frank M. Evans, III. be admitted to the bar of this Court for the purpose of representing Defendant Willow Brook Foods, Inc. in this matter.

Dated this 23rd day of January, 2009.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Thomas Lay", is written over a horizontal line.

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ATTORNEYS FOR DEFENDANT,  
WILLOW BROOK FOODS, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd day of January, 2009, I electronically transmitted the foregoing document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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I hereby certify that I served the attached documents by United States Postal Service, proper postage paid, on the following who are not registered participants of the ECF System:

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CHICKEN, INC.; and COBB-VANTRESS, INC.**

  
\_\_\_\_\_  
R. THOMAS LAY

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel., W. A. DREW )  
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Defendants. )

**EXHIBIT "1" TO: MOTION FOR ADMISSION *PRO HAC VICE***

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PAGE 02/03

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA,

Plaintiff(s)

vs.

Case Number: 05-CV-329-GKF-SAJ

TYSON FOODS, INC., et al.,

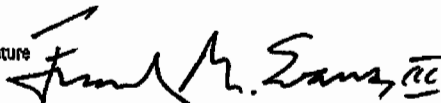
Defendant(s)

**REQUEST FOR ADMISSION PRO HAC VICE**  
 (to be attached to Motion for Admission Pro Hac Vice)

I hereby request admission to the Bar of this Court PRO HAC VICE in support of which I represent that the answers to the following questions are complete, true, and correct:

1. Full Name: FRANK M. EVANS III
  2. State bar membership number: Missouri Bar No. 23976
  3. Business address, telephone and fax numbers:  
 Lathrop & Gage LLP, 1845 S. National, P. O. Box 4288, Springfield, MO 65808  
 Phone: (417) 877-5904 FAX: (417) 886-9126
  4. List all state and federal courts or bar associations in which you are a member "in good standing" to practice law:  
 U.S. District Court, Western District of Missouri; Association for the Bar of the  
 U.S. Court of Appeals for the Eighth Circuit; The Missouri Bar; Springfield Metro-  
 politan Bar Association
  5. Have you been denied admission, disbarred, suspended from practice, reprimanded,  
 denied "in good standing" status, or otherwise disciplined by any court, bar association,  
 grievance committee or administrative body? ☐ Yes ☒ No
  6. Have any proceedings which could lead to any such disciplinary action been instituted  
 against you in any such bodies? ☐ Yes ☒ No
- (Please attach a statement explaining any "Yes" answers to questions 5 or 6.)
7. Are you familiar with the Federal Rules of Evidence, the Federal Rules of Civil or  
 Criminal Procedure (as applicable to this case) and the local rules of this court? ☒ Yes ☐ No

Signature



Printed Name

Frank M. Evans III

Bar Number 23976

Firm Name

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**CERTIFICATE OF SERVICE**

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